COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Permit No. VA0003867

Effective Date:
Expiration Date:

AUTHORIZATION TO DISCHARGE UNDER THE

VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM

AND

THE VIRGINIA STATE WATER CONTROL LAW

In compliance with the provisions of the Clean Water Act as amended and pursuant to the State Water Control Law and regulations adopted pursuant thereto, the following owner is authorized to discharge in accordance with the information submitted with the permit application, and with this permit cover page, and Parts I and II of this permit as set forth herein.

Owner: Omega Protein, Inc.
Facility Name: Omega Protein, Inc.- Reedville
County: Northumberland
Facility Location: 610 Menhaden Road, Reedville, VA 22539

The owner is authorized to discharge to the following receiving stream:

Stream: Cockrell Creek (Outfall 995)
Unnamed Tributary of Cockrell Creek (Outfall 002)
River Basin: Chesapeake Bay, Atlantic Ocean, and Small Coastal Basins
River Subbasin: Not Applicable
Section: 2
Class: II
Special Standards: a

_____
Water Permit Manager, Piedmont Regional Office

_____
Date

A. Limitations and Monitoring Requirements

1. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge process water from outfall number 002. Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS[4]				MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	WEEKLY AVERAGE	MINIMUM	MAXIMUM	FREQUENCY	SAMPLE TYPE
Flow (MGD)	NL	NA	NA	NL	Continuous	Totalizing, Indicating, and Recording
Temperature (°C)[5]	NL	NA	NA	NL	2 per Week	Immersion Stabilization
pH (standard units)[5]	NA	NA	6.0	9.0	2 per Week	Grab
BOD_5 [1,2 5]	470 kg/d	NA	NA	840 kg/d	2 per Month	24-HC
Total Suspended Solids (TSS) [1,2,5]	160 kg/d	NA	NA	410 kg/d	2 per Month	24-HC
Oil and Grease [2, 5]	25 kg/d	NA	NA	46 kg/d	2 per Month	24-HC
Ammonia-Nitrogen [2,5]	32.6 mg/L	NA	NA	40.2 mg/L	2 per Month	24-HC
Total Phosphorus [2]	2.0 mg/L	2.0 kg/d	NA	NA	1 per Week	24-HC
Fecal Coliform (N/100 mL)	14 Geometric Mean	NA	NA	NA	1 per Week Between 10am and 4 pm	Grab
Enterococci (N/100 mL)	35 Geometric Mean	NA	NA	NA	1 per Week Between 10am and 4 pm	Grab
Whole Effluent Toxicity (WET) [3]	NA	NA	NA	14 TU_a	1 per Quarter	24-HC

NL: No Limitation. Monitoring and reporting are required
NA: Not Applicable
HC: Hourly Composite

1 The limitations are expressed in two significant digits.
2 See Part I.B.1 for compliance reporting requirements.
3 See Part I.D for Whole Effluent Toxicity Effluent Monitoring Requirements.
4 The Total Nitrogen and Total Phosphorus calendar year load limits associated with this outfall are included in the current Registration List for the General VPDES Watershed Permit Regulation for Total Nitrogen and Total Phosphorus Dischargers and Nutrient Trading in the Chesapeake Watershed in Virginia, under registration number VAN20037.
5 Samples shall be collected on separate days.

a. There shall be no discharge of floating solids or visible foam in other than trace amounts.

b. To demonstrate compliance with Part I.A.1, samples shall be taken at Outfall 002.

2. During the period beginning with the permit's effective date and lasting until the permit's expiration date, the permittee is authorized to discharge non-contact cooling water from outfall number 995. Such discharges shall be limited and monitored by the permittee as specified below:

EFFLUENT CHARACTERISTICS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS	
	MONTHLY AVERAGE	WEEKLY AVERAGE	MINIMUM	MAXIMUM	FREQUENCY	SAMPLE TYPE
Flow (MGD)	NL	NA	NA	NL	Continuous	Calculated
Temperature	NL	NA	NA	45°C	1 per Day	Immersion Stabilization
Copper, Total Recoverable (1)	19 ug/L	NA	NA	19 ug/L	1 per Month	24-HC
Silver, Total Recoverable (1)	4.0 ug/L	NA	NA	4.0 ug/L	1 per Month	24-HC
pH (standard units)(3)	NA	NA	6.0 S.U.	9.0 S.U.	5 per Week	Grab
Fecal Coliform (2)	14 N/100 mL Geometric Mean	NA	NA	NA	1 per Week Between 10am and 4 pm	Grab
Enterococci (2)	35 N/100 mL Geometric Mean	NA	NA	NA	1 per Week Between 10am and 4 pm	Grab

NL: No Limitation. Monitoring and reporting are required
NA: Not Applicable
.

1 See Part I.B.1 for compliance reporting requirements.
2 See Part I.C for Schedule of Compliance
3 Samples shall be collected on separate days.

a. There shall be no discharge of floating solids or visible foam in other than trace amounts.

b. To demonstrate compliance with Part I.A.2, samples shall be taken at Outfall 995.

B. Other Requirements and Special Conditions

1. **Compliance Reporting**

a. The quantification levels (QL) shall be less than or equal to the following concentrations:

Effluent Parameter	Quantification Level
BOD_5	5 mg/L
TSS	1.0 mg/L
Oil and Grease	5.0 mg/L
Ammonia-N	0.20 mg/L
Copper, Total Recoverable	7.4 ug/L
Silver, Total Recoverable	1.5 ug/L

The QL is defined as the lowest concentration used to calibrate a measurement system in accordance with the procedures published for the method. It is the responsibility of the permittee to ensure that proper quality assurance/quality control (QA/QC) protocols are followed during the sampling and analytical procedures. QA/QC information shall be documented to confirm that appropriate analytical procedures have been used and the required QLs have been attained. The permittee shall use any method in accordance with Part II A of this permit.

b. Reporting:

Monthly Average – Compliance with the monthly average limitations and/or reporting requirements for the parameters listed in subsection a. of this permit condition shall be determined as follows: All concentration data below the QL used for analysis (QL must be less than or equal to the QL listed in a. above) shall be treated as zero. All concentration data equal to or above the QL used for analysis (QL must be less than or equal to the QL listed in a. above) shall be treated as it is reported. An arithmetic average shall be calculated using all reported data for the month, including the defined zeros. This arithmetic average shall be reported on the Discharge Monitoring Report (DMR) as calculated. If all data are below the QL used for the analysis (QL must be less than or equal to the QL listed in a. above), then the average shall be reported as "<QL". If reporting for quantity is required on the DMR and the reported monthly average concentration is <QL, then report "<QL" for the quantity. Otherwise use the reported concentration data (including the defined zeros) and flow data for each sample day to determine the daily quantity and report the monthly average of the calculated daily quantities.

Daily Maximum – Compliance with the daily maximum limitations and/or reporting requirements for the parameters listed in subsection a. of this permit condition shall be determined as follows: All concentration data below the QL used for the analysis (QL must be less than or equal to the QL listed in a. above) shall be treated as zero. All concentration data equal to or above the QL used for the analysis (QL must be less than or equal to the QL listed in a. above) shall be treated as reported. An arithmetic average shall be calculated using all reported data, including the defined zeros, collected within each day during the reporting month. The maximum value of these daily averages thus determined shall be reported on the DMR as the Daily Maximum. If all data are below the QL used for the analysis (QL must be less than or equal to the QL listed in a. above), then the maximum value of the daily averages shall be reported as "<QL". If reporting for quantity is required on the DMR and the reported daily maximum is <QL, then report "<QL" for the quantity. Otherwise use the reported daily average concentrations

(including the defined zeros) and corresponding daily flows to determine daily average quantities and report the maximum of the daily average quantities during the reporting month.

c. Any single datum required shall be reported as "<QL" if it is less than the QL used in the analysis (QL must be less than or equal to the QL listed in a. above). Otherwise the numerical value shall be reported.

d. **Total Phosphorus Reporting** For Total Phosphorus, all daily concentration data below the QL for the analytical method used shall be treated as half the QL. All daily concentration data equal to or above the QL for the analytical method used shall be treated as it is reported.

e. **Significant Digits -** The permittee shall report at least the same number of significant digits as the permit limit for a given parameter. Regardless of the rounding convention used by the permittee (i.e., 5 always rounding up or to the nearest even number), the permittee shall use the convention consistently, and shall ensure that consulting laboratories employed by the permittee use the same convention.

f. For parameters not addressed in paragraphs a. and d. above, all concentration data less than QL used for analysis shall be treated equal to the QL used for the analysis in the calculation of any required average concentration and loading. The resulting average value shall be reported on the DMR as being less than ("<") that calculated value.

2. **Discharge and Monitoring of Refrigeration Water** The discharge of refrigeration water from the permittee's vessels will be transported to the Chesapeake Bay and shall meet the following requirements:

a. Refrigeration water is defined as seawater taken on by the fishing vessel that is run through the vessel's chillers to lower the water temperature to approximately 36°F. The water is circulated between the fish holds where the catch is stored and the chillers to maintain the fish as fresh as possible for processing. Refrigeration water does not include bail water, stick water, evaporation condensate, or any other wastewater resulting from the processing of fish at the plant.

b. The pH of the effluent shall be between 6.0 and 9.0 standard units.

c. The discharge of refrigeration water from the permittee's vessels into the Chesapeake Bay will be allowed only east of a line between Great Wicomico River Light and Green Can Buoy #3. Such discharges shall be made while the vessel is underway and at a rate that the visibility of the discharge plume is minimized.

d. A Bay discharge vessel log must be maintained and made available to the DEQ Piedmont Regional Office for inspection upon request by the staff.

e. The date of every refrigeration water discharge, when the discharge started and ended and the estimated volume of the discharge shall be recorded for each vessel. Each fishing vessel shall also collect a weekly grab samples taken immediately before the refrigeration water is discharged for the following parameters: BOD_5, ammonia-nitrogen, TKN, nitrate-nitrite, total phosphorus, pH, temperature, salinity, and dissolved oxygen. If fishing vessel does not discharge refrigeration during a week, no weekly grab sample is required for that week. The permittee shall submit a monitoring plan for DEQ approval describing how a representative refrigeration water grab sample will be collect. The approved plan shall be incorporated as part of the Operation and Maintenance Manual required in Part I.B.5 and will be an enforceable part of the permit. An annual refrigeration

discharge report shall be submitted within 60 days of the end of each fishing season. This annual report should summarize the fishing vessel refrigeration discharge data and include an estimate of the annual loading to the Chesapeake Bay for BOD_5, TKN, nitrate-nitrite, and total phosphorus,

f. Ambient water quality monitoring of the Chesapeake Bay in the area designated in Part I.B.2.c, above, (east of a line between Great Wicomico River Light and Green Can Buoy #3) shall be performed twice per month during those months when a discharge of refrigeration water occurs from a fishing vessel. BOD_5, ammonia-nitrogen, pH, temperature, dissolved oxygen and salinity shall be monitored both before and after the refrigeration discharge. Samples shall be grabbed at a depth of between six to eight feet below the surface of the water inside the visible discharge plume.

g. Monitoring results and data as listed in Part I.B.2.e and f shall be submitted with the DMR for that month to be received at the DEQ Piedmont Regional Office by the tenth of the following month. Any discharge of refrigeration water to State waters must result in compliance with Water Quality Standards. In addition to the monitoring required in Part I.B.2.e and f, the permittee shall monitor, at least once, the refrigeration water for each fishing vessel operated for the substances noted in Attachment A, Water Quality Criteria Monitoring, according to the indicated analysis number, quantification level, sample type and frequency. Monitoring of the refrigeration water for the substances noted in Attachment A shall be performed one per week at times when the discharge of refrigeration water occurs by obtaining grab samples immediately before the refrigeration water is discharged. The date and time of the sampling event shall be recorded along with the date and time of the discharge and submitted with the monitoring results. The permittee shall collect representative grab samples in accordance with the DEQ approved monitoring plan submitted under 2.e above. Monitoring results shall be submitted within 90 days after the effective date of this permit, or within 90 days after the commencement of the first fishing season following the effective date of this permit, if the effective date of this permit occurs during the off-season. Monitoring and analysis shall be conducted in accordance with 40 CFR Part 136 or alternative EPA approved methods. It is the responsibility of the permittee to ensure that proper QA/QC protocols are followed during the sample gathering and analytical procedures. The DEQ will use these data for making specific permit decisions in the future. This permit may be modified or, alternatively, revoked and reissued to incorporate limits for any of the substances listed in Attachment A. If the permittee believes the boat capacities and operations, holding times, and the characteristics of refrigeration water from two or more vessels are substantially identical, the permittee may submit to the DEQ Piedmont Regional Office details as to why the refrigeration water is expected to be substantially identical. Refrigeration water from no less than 3 vessels shall be monitored. Upon approval by the DEQ Piedmont Regional Office that the vessels are identical, the permittee may sample the refrigeration water from one vessel and report that the quantitative data also apply to the substantially identical vessels.

3. **Notification Levels** The permittee shall notify the Department as soon as they know or have reason to believe:

   a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
      1) One hundred micrograms per liter (100 ug/l);
      2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;

3) Five (5) times the maximum concentration value reported for that pollutant in the permit application; or
4) The level established by the Board.

b. That any activity has occurred or will occur which would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant which is not limited in this permit, if that discharge will exceed the highest of the following notification levels:
1) Five hundred micrograms per liter (500 ug/l);
2) One milligram per liter (1 mg/l) for antimony;
3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
4) The level established by the Board.

4. **Materials Handling/Storage** Any and all product, materials, industrial wastes, and/or other wastes resulting from the purchase, sale, mining, extraction, transport, preparation, and/or storage of raw or intermediate materials, final product, by-product or wastes, shall be handled, disposed of, and/or stored in such a manner and consistent with Best Management Practices so as not to permit a discharge of such product, materials, industrial wastes, and/or other wastes to State waters, except as expressly authorized.

5. **Operation and Maintenance Manual Requirement** The permittee shall review the existing Operations and Maintenance (O&M) Manual and notify the DEQ Piedmont Regional Office in writing within 90 days of the effective date of this permit whether it is still accurate and complete. If the O&M Manual is no longer accurate and complete, a revised O&M Manual shall be submitted for approval to the DEQ Regional Office within 90 days of the effective date of this permit. The permittee will maintain an accurate, approved operation and maintenance manual for the treatment works. This manual shall detail the practices and procedures which will be followed to ensure compliance with the requirements of the permit. The permittee shall operate the treatment works in accordance with the approved O&M Manual. This manual shall include, but is not necessarily limited to, the following items, as appropriate:

a. Techniques to be employed in the collection, preservation, and analysis of effluent samples;

b. Procedures for measuring and recording the duration and volume of treated wastewater discharged;

c. Discussion of Best Management Practices, if applicable;

d. Procedures for handling, storing, and disposing of all wastes, fluids, and pollutants characterized in Part I.B.4 above that will prevent these materials from reaching State waters;

e. Treatment works design; treatment works operation, routine preventive maintenance of units within the treatment works, critical spare parts inventory and record keeping, and

f. A plan for the management and/or disposal of waste solids and residues.

Any changes in the practices and procedures followed by the permittee shall be documented and submitted for DEQ Regional staff approval within 90 days of the effective date of the changes. Upon approval of the submitted manual changes, the revised manual becomes an enforceable part of the permit. Noncompliance with the O&M Manual shall be deemed a violation of the permit.

6. **Licensed Operator Requirement** The permittee shall employ or contract at least one Class III licensed wastewater works operator for the facility. The license shall be issued in accordance with Title 54.1 of the Code of Virginia and the regulations of the Board for Waterworks and Wastewater Works Operators. The permittee shall notify the Department in writing whenever he is not complying, or has grounds for anticipating he will not comply with this requirement. The notification shall include a statement of reasons and a prompt schedule for achieving compliance.

7. **Best Management Practices (BMP)**

a. The permittee shall comply with the following at the Off Season Maintenance area shown in Attachment B:

1) Best Management Practices (BMP)

a) The permittee shall comply with the following:

(1) The permittee shall provide adequate disposal services for all sanitary wastes generated by vessels moored or docked at the permitted facility to remove and dispose of all sewage from the vessels by discharge into the permitted facility's sanitary waste system or other appropriate collection means, in compliance with the Virginia Department of Health Regulations.

(2) Vessels which have been fitted to collect gray water, either with sewage or separately, shall not discharge the gray water into surface waters unless specifically addressed as a permitted discharge in Part I.A. effluent limitations.

(3) The yard, affected piers and shoreside support areas shall be cleaned on a regular basis to minimize the possibility that runoff will carry spent abrasives, paints, solvents, cleaners, anti-corrosive compounds, paint chips, scrap metal, trash, garbage, petroleum products or other debris into the receiving water. Items such as welding rods, wood, plastic, miscellaneous trash, paper, glass, packaging, industrial scrap, insulation and scrap metal must be routinely removed from the general yard area for reuse or disposal. Cleanup of areas contributing runoff shall consist of mechanical or manual methods to sweep up and collect the debris.

Mechanical cleanup may be accomplished by mechanical sweepers, front end loaders, vacuum cleaners or other innovative equipment. Manual methods include the use of shovels and brooms.

(4) Acceptable methods of control shall be utilized during abrasive blasting and spray painting, with the intent of preventing blast dust and overspray from falling into the receiving water or any storm sewer system. These include the following: downspraying of blast materials and paint; barriers or shrouds beneath the hull; barriers or shrouds between the hull and temporary/ permanent support structures, from the flying bridge to temporary/permanent support structures, or from the bow and stern of the vessel to temporary support structures erected for that purpose. The bottom edge of free hanging barriers shall be weighted to hold them in place during a light breeze. When abrasive blasting vessel superstructures, openings and open areas between decks shall be

covered (including but not limited to scuppers, railings, freeing ports, ladders, and doorways) if they allow discharge to State waters.

(5) Fixed or floating platforms shall be used as work surfaces when working at the water surface. These platforms shall be used to provide a surface to catch spent abrasive, slag, paint, trash and other debris/pollutants and shall be cleaned at the end of each work shift.

(6) Dust and over spray from abrasive blasting and painting in yard facilities shall be controlled to minimize the spreading of windblown materials. Frequent cleanup of these areas shall be practiced to prevent abrasive blasting waste from being washed into storm sewers or the adjacent waterway.

(7) Pressure washing used for the purpose of vessel maintenance or removing marine growth, marine salts and sediments for the hulls are defined process wastewaters subject to Part I.A. effluent monitoring. The resulting wastewater shall be contained in a manner to prevent or minimize the discharge of marine growth, sediments, paint particles and metal scale to the waterway.

(8) When water blasting, hydroblasting, or water-cone blasting is used to remove paint from surfaces or reprofile adhering coatings, the resulting water and debris shall be collected in a sump or other suitable device. This mixture then will be either delivered to appropriate containers for removal and disposal or subjected to treatment to concentrate the solids for proper disposal and prepare the water for reuse or discharge through an authorized outfall subject to Part I.A. effluent monitoring, as may be appropriate.

(9) All shipboard cooling water and process water shall be directed away from contact with spent abrasive, paint and other debris. Contact of spent abrasive and paint with water will be prevented by proper segregation and control of wastewater streams, unless using suitable wastewater collection or treatment systems.

(10) The sediment traps in the stormwater drainage system(s) for areas around marine repair and other industrial areas where solid pollutants such as blast grit, paint and welding slag and spend rods can accumulate shall be inspected on a monthly basis and cleaned as necessary to ensure the interception and retention of solids entering the drainage system. Inspection logs and cleaning records must be maintained.

(11) During the period at the dock, oil, grease or fuel spills shall be prevented from reaching State waters. Cleanup shall be carried out promptly after oil, grease or fuel spill is detected. Oil containment booms shall be conveniently stored so as to be immediately deployable in the event of a spill.

(12) Drip pans or other protective devices shall be required for all oil or oily waste transfer operations to catch incidental spillage and drips from hose nozzles, hose racks, drums or barrels.

(13) Oil contaminated materials shall be removed from the marine repair area as soon as possible, and in all cases prior to submersion of the railway carriage.

(14) The permittee shall prepare and maintain current all plans and contingency documents required by State and Federal Laws and regulations addressing oil storage facilities and or petroleum product spills. These plans shall be retained at the facility for immediate implementation in the event a petroleum spill occurs. Emulsifiers and dispersants are not suitable cleanup agents to facilitate cleanup and/or remediation of petroleum product spills into State waters. The requirements and cleanup referenced above shall also apply to any hazardous substances which may be stored at, and/or transshipped through this facility.

(15) Solid chemicals, chemical solutions, paints, oils, solvents, acids, caustic solutions and waste materials, including used batteries, shall be stored in a manner which will prevent the entry of these materials into waters of the State, including ground water. Materials should be plainly labeled for easy identification. Storage shall be in a manner that will prevent entry into State waters by overfilling, tipping, rupture, or other accidents within the storage area.

(17) All metal finishing chemical solution, caustic wash, and rinsewater tanks shall be stored in such a manner so as to prevent introduction of spills into State waters and plainly labeled for easy identification. Any intercepted chemical spill shall be recycled back to the appropriate chemical solution tank or disposed of. The spilled material must be handled, recycled or disposed of in such manner as to prevent its discharge into State waters.

(18) Drip pans or other protective devices shall be required for all paint mixing and solvent transfer operations, unless the mixing operation is carried out in controlled areas away from storm drains, surface waters, shorelines and piers. Drip pans, drop cloths or tarpaulins shall be used whenever paints and solvents are mixed. Sorbents must be on hand to soak up liquid spills. Paints and solvents shall not be mixed in areas where spillage would have direct access to State waters unless containment measures are employed.

(19) Paint and solvent spills shall be prevented from reaching storm drains or deck drains and subsequent discharge into the water, and shall be cleaned up promptly.

(20) The amount of paint stored within the marine repair area shall be kept to a minimum.

(21) Trash receptacles shall be provided on each pier and onboard each vessel being repaired. These receptacles shall be emptied as necessary to prevent trash from entering State waters.

(22) Leaking connections, valves, pipes, hoses and soil chutes carrying wastewater shall be replaced or repaired immediately. Soil chute and hose connections to vessels and to receiving lines or containers shall be tightly connected and leak free.

(23) Any water testing shall be conducted in a manner to preclude spent abrasives, paint residues, debris and other pollutants from areas of the marine repair from entering the adjacent waterway.

(24) Floatable and low-density waste such as wood and plastic, as well as miscellaneous trash such as paper, insulation, and packaging, etc., shall be removed from the marine repair area before launching.

(25) The permittee shall provide adequate disposal services for all oil contaminated bilge and ballast water generated from vessels moored or docked at the permitted facility. Bilge water which has been mixed with industrial wastes shall not be discharged directly to State waters and must be collected, treated and disposed of through a permitted shoreside industrial waste treatment facility, or as appropriate, handled as a hazardous waste as required by Virginia's Solid Waste Regulations.

(26) All vessels that are hauled shall be beyond the normal high tidal zone. In the event of vessel overhang during abnormally high tides, all exterior abrasive/water blasting and coating work on the overhanging portion of the vessel shall be discontinued. Exterior work on vessels will not be in areas that extend beyond the length of the marine repair area, unless appropriate precautions are taken to prevent discharge of pollutants into State waters.

(27) Docking and launching time intervals shall not be considered as a rationale for not cleaning the marine repair area.

(28) Innovative measures for collecting abrasives may be presented to the DEQ for evaluation.

(29) Material (spent abrasives, paint chips, etc.) shall be cleaned up from the area in the vicinity of the marine repair area before the incoming tide.

(30) Docks shall be cleaned on a regular basis fo as to prevent rain from washing material into receiving waters.

(31) Cleaning procedures shall be employed to remove waste materials in order to prevent their introduction into the storm drain system.

(32) The mixing of paints and solvents shall be carried out in locations and under conditions such that no spill shall enter State waters.

b. The permittee shall submit with the DMRs, a monthly report certifying compliance or noncompliance with all conditions of the preceding BMPs pertaining to marine repair areas, piers, wetslips, and shore side work areas. The reporting form is provided as Attachment B to this permit. The report, as submitted on Attachment C, shall include a weekly audit checklist for these areas and a narrative description of observations. The audit shall be conducted by personnel not routinely associated with the aforementioned activities.

8. **Reopeners** This permit may be modified or, alternatively, revoked and reissued:

   a. If any approved wasteload allocation procedure, pursuant to Section 303(d) of the Clean Water Act, imposes wasteload allocations, limits or conditions on the facility that are not consistent with the permit requirements;

   b. To incorporate technology-based effluent concentration limitations for nutrients in conjunction with the installation of nutrient control technology, whether by new construction, expansion or upgrade, or

   c. To incorporate alternative nutrient limitations and/or monitoring requirements, should:

      1) the State Water Control Board adopt new nutrient standards for the water body receiving the discharge, including the Chesapeake Bay or its tributaries, or
      2) a future water quality regulation or statute require new or alternative nutrient control.

   d. Should effluent monitoring indicate the need for any water quality-based limitations, this permit may be modified or alternatively revoked and reissued to incorporate appropriate limitations.

9. **Facility Closure** If the permittee plans an expansion or upgrade to replace the existing treatment works, or if facilities are permanently closed, the permittee shall submit to the DEQ Regional Office a closure plan for the existing treatment works. The plan shall address the following information as a minimum: Verification of elimination of sources and/or alternate treatment scheme; treatment, removal and final disposition of residual wastewater and solids; removal/demolition/disposal of structures, equipment, piping and appurtenances; site grading, and erosion and sediment control; restoration of site vegetation; access control; fill materials; and proposed land use (post-closure) of the site. The plan should contain proposed dates for beginning and completion of the work. The plan must be approved by the DEQ prior to implementation.

10. **Ground Water Monitoring and Corrective Action Plan**

   a. The permittee shall continue sampling and reporting in accordance with the ground water monitoring plan approved on May 16, 2006. The purpose of this plan is to determine if the system integrity is being maintained and to indicate if activities at the site are resulting in violations of the Board's Ground Water Standards. The approved plan is an enforceable part of the permit. Any changes to the plan must be submitted for approval to the DEQ Piedmont Regional Office.

   b. The permittee shall submit a corrective action plan for groundwater within 60 days of the effective date of this permit. The plan shall set forth the steps to be taken by the permittee to ensure that the contamination source is eliminated or that the contaminant plume is contained on the permittee's property. The plan should also verify the correct positioning of the monitoring wells with respect to the lagoon and the direction of ground water flow. In addition, based on the extent of contamination, a risk analysis may be required. Once approved, this plan and/or analysis shall be incorporated into the permit by reference and become an enforceable part of this permit.

   c. If future monitoring results indicate that any unit has contaminated the ground water, the permittee shall submit an additional corrective action plan within 60 days of being notified by the regional office. The plan shall set forth the steps to be taken by the permittee to ensure that the contamination source is eliminated or that the contaminant plume is contained on the permittee's property. In addition, based on the extent of contamination,

a risk analysis may be required. Once approved, this plan and/or analysis shall be incorporated into the permit by reference and become an enforceable part of this permit.

11. **Water Quality Criteria Monitoring** The permittee shall monitor the effluent at Outfall 002 and Outfall 995 for the substances noted in the following documents according to the indicated analysis number, quantification level, sample type and frequency:

    a. Attachment A, Water Quality Criteria Monitoring

    b. EPA Form 2C, Effluent Testing Data

    Monitoring results shall be submitted within 90 days after the effective date of this permit or within 90 days after the commencement of the first fishing season following the effective date of this permit if the effective date of this permit occurs during the off-season. Monitoring and analysis shall be conducted in accordance with 40 CFR Part 136 or alternative EPA approved methods. It is the responsibility of the permittee to ensure that proper QA/QC protocols are followed during the sample gathering and analytical procedures. The DEQ will use these data for making specific permit decisions in the future. This permit may be modified or, alternatively, revoked and reissued to incorporate limits for any of the substances listed in Attachment A or EPA Form 2C.

12. **Concept Engineering Report** Prior to constructing any wastewater treatment works, the permittee shall submit a Concept Engineering Report (CER) to the DEQ Piedmont Regional Office. DEQ written approval shall be secured prior to constructing any wastewater treatment works. The permittee shall construct the wastewater treatment works in accordance with the approved CER. No later than 14 days following completion of construction of any project for which a CER has been approved, written notification shall be submitted to the DEQ Piedmont Regional Office certifying that, based on an inspection of the project, construction was completed in accordance with the approved CER. The written notification shall be certified by a professional engineer licensed in the Commonwealth of Virginia or signed in accordance with Part II.K of this permit. The installed wastewater treatment works shall be operated to achieve design treatment and effluent concentrations. Approval by the Department of Environmental Quality does not relieve the owner of the responsibility for the correction of design and/or operational deficiencies. Noncompliance with the CER shall be deemed a violation of this permit. Upon approval of a CER for the installation of nutrient removal technology, DEQ staff shall initiate modification, or alternatively, revocation and reissuance, of this permit, to include annual concentration limits based on the technology proposed in the CER**.**

13. **Outfall 002 Back-up Treatment** The use of the storage ponds, dissolved air floatation system, and ultraviolent disinfection unit are required only as necessary to maintain permit compliance in the case of an emergency at the facility. The permittee shall document when process wastewater is stored in the ponds and provide written notification to the DEQ-Piedmont Regional Office within 5 business days upon such circumstances. The notification shall include an explanation of the emergency event resulting in the use of the storage ponds, the estimated length of time untreated process water will be stored, and the anticipated date as to when the ponds will be emptied and any residual sludge cleaned out.

14. **Storage Ponds** The storage pond shall maintain a minimum freeboard of one (1) foot at all times. Should the one foot freeboard not be maintained, the permittee shall immediately notify the DEQ Piedmont Regional Office, describing the problem and the corrective measures taken. Within 5 days of the notification, the permittee shall submit a written statement of explanation and corrective measures.

C. Schedule of Compliance – Outfall 995

The permittee shall achieve compliance with the Fecal Coliform and Enterococci limitations in Part I.A.2 in accordance with the following schedule:

1. Prepare Progress Reports	**Annually** from the effective date of the permit (Fecal Coliform and Enterococci shall be monitored from the effective date of the permit until achievement of compliance with the final limitations.)
2. Achieve Compliance with Effective Limitation	Within **4 years** after the date of the permit

No later than 14 calendar days following the dates identified in the above schedule of compliance, the permittee shall submit to the DEQ Piedmont Regional Office, either a report of progress, or in the case of specific actions being required by the identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial action taken, and the probability of meeting the next scheduled requirement.

D. Whole Effluent Toxicity Testing Requirements – Outfall 002

1. The Whole Effluent Toxicity limitation of ≤14 TU_a (LC_{50} ≥7%) in Part I.A. is a final limit effective for Outfall 002 upon issuance of this permit.

2. Commencing within the first month after the effective date of this permit, the permittee shall conduct quarterly 48-Hour Static Test using *Americamysis bahia (*previously known as *Mysidopsis bahia)* using 24-hour flow-proportioned composite samples of final effluent from outfall 002.

   These acute tests are to be conducted using 5 geometric dilutions of effluent with a minimum of 4 replicates, with 5 organisms in each. Tests in which control survival is less than 90% are not acceptable.

   One copy of the detailed report concerning the conduct of the test shall accompany the DMR on which the results are reported. Technical assistance in developing the procedures for these tests shall be provided by the DEQ, if requested by the permittee. Test procedures and reporting shall be in accordance with the WET testing methods cited in 40 CFR 136.3.

3. The test dilutions should be able to determine compliance with the following endpoints

   LC_{50} of ≥7% equivalent to a TU_a of ≤14

4. The permit may be modified or revoked and reissued to include pollutant specific limits in lieu of a WET limit should it be demonstrated that toxicity is due to specific parameters.

5. The monitoring quarters shall be defined by the seasonal operations of the facility as follows:

   Quarter 1: May 1st –July 31st
   Quarter 2: August 1st – October 31st
   Quarter 3: November 1st – January 31st
   Quarter 4: February 1st – April 30th

6. The permittee shall report the results on the quarterly DMR and submit a copy of each toxicity test report in accordance with the following schedule:

Test Period	Test Period Dates	DMR/Report Due Date
Quarter 1	May 1 – July 31, 2011	August 10, 2011
Quarter 2	August 1 – October 31, 2011	November 10, 2011
Quarter 3	November 1, 2011 – January 31, 2012	February 10, 2012
Quarter 4	February 1 – April 30, 2012	May 10, 2012
Quarter 5	May 1 – July 31, 2012	August 10, 2012
Quarter 6	August 1 – October 31, 2012	November 10, 2012
Quarter 7	November 1, 2012 – January 31, 2013	February 10, 2013
Quarter 8	February 1 – April 30, 2013	May 10, 2013
Quarter 9	May 1 – July 31, 2013	August 10, 2013
Quarter 10	August 1 – October 31, 2013	November 10, 2013
Quarter 11	November 1, 2013 – January 31, 2014	February 10, 2014
Quarter 12	February 1 – April 30, 2014	May 10, 2014
Quarter 13	May 1 – July 31, 2014	August 10, 2014
Quarter 14	August 1 – October 31, 2014	November 10, 2014
Quarter 15	November 1, 2014 – January 31, 2015	February 10, 2015
Quarter 16	February 1 – April 30, 2015	May 10, 2015
Quarter 17	May 1 – July 31, 2015	August 10, 2015
Quarter 18	August 1 – October 31, 2015	November 10, 2015
Quarter 19	November 1, 2015 – January 31, 2016	February 10, 2016
Quarter 20	February 1 – April 30, 2012	May 10, 2016

7. In the event that quarterly WET testing as required by Part I.A.1 of this permit is not possible due to lack of operations at the facility, the permittee shall submit a written notice to the DEQ Piedmont Regional Office with the DMR submitted for the month following the quarter in which the test was to have been performed.

ATTACHMENT A
DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY CRITERIA MONITORING

CASRN#	CHEMICAL	EPA ANALYSIS NO.	QUANTIFICATION LEVEL[1]	REPORTING RESULTS	SAMPLE TYPE[2]	SAMPLE FREQUENCY
METALS						
7440-36-0	Antimony, dissolved	(3)	(1)		G or C	1/5 YR
7440-38-2	Arsenic, dissolved	(3)	(1)		G or C	1/5 YR
7440-43-9	Cadmium, dissolved	(3)	(1)		G or C	1/5 YR
16065-83-1	Chromium III, dissolved [8]	(3)	(1)		G or C	1/5 YR
18540-29-9	Chromium VI, dissolved [8]	(3)	(1)		G or C	1/5 YR
7440-50-8	Copper, dissolved	(3)	(1)		G or C	1/5 YR
7439-92-1	Lead, dissolved	(3)	(1)		G or C	1/5 YR
7439-97-6	Mercury, dissolved	(3)	(1)		G or C	1/5 YR
7440-02-0	Nickel, dissolved	(3)	(1)		G or C	1/5 YR
7782-49-2	Selenium, dissolved	(3)	(1)		G or C	1/5 YR
7440-22-4	Silver, dissolved	(3)	(1)		G or C	1/5 YR
7440-28-0	Thallium, dissolved	(4)	(5)		G or C	1/5 YR
7440-66-6	Zinc, dissolved	(3)	(1)		G or C	1/5 YR
PESTICIDES/PCB'S						
309-00-2	Aldrin	608	0.05		G or C	1/5 YR
57-74-9	Chlordane	608	0.2		G or C	1/5 YR
2921-88-2	Chlorpyrifos (synonym = Dursban)	(4)	(5)		G or C	1/5 YR
72-54-8	DDD	608	0.1		G or C	1/5 YR
72-55-9	DDE	608	0.1		G or C	1/5 YR
50-29-3	DDT	608	0.1		G or C	1/5 YR
8065-48-3	Demeton	(4)	(5)		G or C	1/5 YR
333-41-5	Diazinon	(4)	(5)		G or C	1/5 YR
60-57-1	Dieldrin	608	0.1		G or C	1/5 YR
959-98-8	Alpha-Endosulfan	608	0.1		G or C	1/5 YR
33213-65-9	Beta-Endosulfan	608	0.1		G or C	1/5 YR
1031-07-8	Endosulfan Sulfate	608	0.1		G or C	1/5 YR
72-20-8	Endrin	608	0.1		G or C	1/5 YR
7421-93-4	Endrin Aldehyde	(4)	(5)		G or C	1/5 YR

CASRN#	CHEMICAL	EPA ANALYSIS NO.	QUANTIFICATION LEVEL[1]	REPORTING RESULTS	SAMPLE TYPE[2]	SAMPLE FREQUENCY
86-50-0	Guthion	(4)	(5)		G or C	1/5 YR
76-44-8	Heptachlor	608	0.05		G or C	1/5 YR
1024-57-3	Heptachlor Epoxide	(4)	(5)		G or C	1/5 YR
319-84-6	Hexachlorocyclohexane Alpha-BHC	608	(5)		G or C	1/5 YR
319-85-7	Hexachlorocyclohexane Beta-BHC	608	(5)		G or C	1/5 YR
58-89-9	Hexachlorocyclohexane Gamma-BHC or Lindane	608	(5)		G or C	1/5 YR
143-50-0	Kepone	(9)	(5)		G or C	1/5 YR
121-75-5	Malathion	(4)	(5)		G or C	1/5 YR
72-43-5	Methoxychlor	(4)	(5)		G or C	1/5 YR
2385-85-5	Mirex	(4)	(5)		G or C	1/5 YR
56-38-2	Parathion	(4)	(5)		G or C	1/5 YR
1336-36-3	PCB Total	608	7.0		G or C	1/5 YR
8001-35-2	Toxaphene	608	5.0		G or C	1/5 YR
BASE NEUTRAL EXTRACTABLES						
83-32-9	Acenaphthene	625	10.0		G or C	1/5 YR
120-12-7	Anthracene	625	10.0		G or C	1/5 YR
92-87-5	Benzidine	(4)	(5)		G or C	1/5 YR
56-55-3	Benzo (a) anthracene	625	10.0		G or C	1/5 YR
205-99-2	Benzo (b) fluoranthene	625	10.0		G or C	1/5 YR
207-08-9	Benzo (k) fluoranthene	625	10.0		G or C	1/5 YR
50-32-8	Benzo (a) pyrene	625	10.0		G or C	1/5 YR
111-44-4	Bis 2-Chloroethyl Ether	(4)	(5)		G or C	1/5 YR
108-60-1	Bis 2-Chloroisopropyl Ether	(4)	(5)		G or C	1/5 YR
85-68-7	Butyl benzyl phthalate	625	10.0		G or C	1/5 YR
91-58-7	2-Chloronaphthalene	(4)	(5)		G or C	1/5 YR
218-01-9	Chrysene	625	10.0		G or C	1/5 YR
53-70-3	Dibenz(a,h)anthracene	625	20.0		G or C	1/5 YR
84-74-2	Dibutyl phthalate (synonym = Di-n-Butyl Phthalate)	625	10.0		G or C	1/5 YR
95-50-1	1,2-Dichlorobenzene	624	10.0		G or C	1/5 YR
541-73-1	1,3-Dichlorobenzene	624	10.0		G or C	1/5 YR
106-46-7	1,4-Dichlorobenzene	624	10.0		G or C	1/5 YR

CASRN#	CHEMICAL	EPA ANALYSIS NO.	QUANTIFICATION LEVEL[1]	REPORTING RESULTS	SAMPLE TYPE[2]	SAMPLE FREQUENCY
91-94-1	3,3-Dichlorobenzidine	(4)	(5)		G or C	1/5 YR
84-66-2	Diethyl phthalate	625	10.0		G or C	1/5 YR
117-81-7	Bis-2-ethylhexyl phthalate	625	10.0		G or C	1/5 YR
131-11-3	Dimethyl phthalate	(4)	(5)		G or C	1/5 YR
121-14-2	2,4-Dinitrotoluene	625	10.0		G or C	1/5 YR
122-66-7	1,2-Diphenylhydrazine	(4)	(5)		G or C	1/5 YR
206-44-0	Fluoranthene	625	10.0		G or C	1/5 YR
86-73-7	Fluorene	625	10.0		G or C	1/5 YR
118-74-1	Hexachlorobenzene	(4)	(5)		G or C	1/5 YR
87-68-3	Hexachlorobutadiene	(4)	(5)		G or C	1/5 YR
77-47-4	Hexachlorocyclopentadiene	(4)	(5)		G or C	1/5 YR
67-72-1	Hexachloroethane	(4)	(5)		G or C	1/5 YR
193-39-5	Indeno(1,2,3-cd)pyrene	625	20.0		G or C	1/5 YR
78-59-1	Isophorone	625	10.0		G or C	1/5 YR
98-95-3	Nitrobenzene	625	10.0		G or C	1/5 YR
62-75-9	N-Nitrosodimethylamine	(4)	(5)		G or C	1/5 YR
621-64-7	N-Nitrosodi-n-propylamine	(4)	(5)		G or C	1/5 YR
86-30-6	N-Nitrosodiphenylamine	(4)	(5)		G or C	1/5 YR
129-00-0	Pyrene	625	10.0		G or C	1/5 YR
120-82-1	1,2,4-Trichlorobenzene	625	10.0		G or C	1/5 YR
	VOLATILES					
107-02-8	Acrolein	(4)	(5)		G	1/5 YR
107-13-1	Acrylonitrile	(4)	(5)		G	1/5 YR
71-43-2	Benzene	624	10.0		G	1/5 YR
75-25-2	Bromoform	624	10.0		G	1/5 YR
56-23-5	Carbon Tetrachloride	624	10.0		G	1/5 YR
108-90-7	Chlorobenzene (synonym = monochlorobenzene)	624	50.0		G	1/5 YR
124-48-1	Chlorodibromomethane	624	10.0		G	1/5 YR
67-66-3	Chloroform	624	10.0		G	1/5 YR
75-09-2	Dichloromethane (synonym = methylene chloride)	624	20.0		G	1/5 YR
75-27-4	Dichlorobromomethane	624	10.0		G	1/5 YR

CASRN#	CHEMICAL	EPA ANALYSIS NO.	QUANTIFICATION LEVEL[1]	REPORTING RESULTS	SAMPLE TYPE[2]	SAMPLE FREQUENCY
107-06-2	1,2-Dichloroethane	624	10.0		G	1/5 YR
75-35-4	1,1-Dichloroethylene	624	10.0		G	1/5 YR
156-60-5	1,2-trans-dichloroethylene	(4)	(5)		G	1/5 YR
78-87-5	1,2-Dichloropropane	(4)	(5)		G	1/5 YR
542-75-6	1,3-Dichloropropene	(4)	(5)		G	1/5 YR
100-41-4	Ethylbenzene	624	10.0		G	1/5 YR
74-83-9	Methyl Bromide	(4)	(5)		G	1/5 YR
79-34-5	1,1,2,2-Tetrachloroethane	(4)	(5)		G	1/5 YR
127-18-4	Tetrachloroethylene	624	10.0		G	1/5 YR
10-88-3	Toluene	624	10.0		G	1/5 YR
79-00-5	1,1,2-Trichloroethane	(4)	(5)		G	1/5 YR
79-01-6	Trichloroethylene	624	10.0		G	1/5 YR
75-01-4	Vinyl Chloride	624	10.0		G	1/5 YR
ACID EXTRACTABLES [6]						
95-57-8	2-Chlorophenol	625	10.0		G or C	1/5 YR
120-83-2	2,4 Dichlorophenol	625	10.0		G or C	1/5 YR
105-67-9	2,4 Dimethylphenol	625	10.0		G or C	1/5 YR
51-28-5	2,4-Dinitrophenol	(4)	(5)		G or C	1/5 YR
534-52-1	2-Methyl-4,6-Dinitrophenol	(4)	(5)		G or C	1/5 YR
25154-52-3	Nonylphenol	(5)	(5)		G or C	1/5 YR
87-86-5	Pentachlorophenol	625	50.0		G or C	1/5 YR
108-95-2	Phenol	625	10.0		G or C	1/5 YR
88-06-2	2,4,6-Trichlorophenol	625	10.0		G or C	1/5 YR
MISCELLANEOUS						
776-41-7	Ammonia as NH3-N	350.1	200		C	1/5 YR
7782-50-5	Chlorine Produced Oxidant	(4)	(5)		G	1/5 YR
7782-50-5	Chlorine, Total Residual	(4)	100		G	1/5 YR
57-12-5	Cyanide, Free	(4)	10.0		G	1/5 YR
N/A	*E. coli* / *Enterococcus* (N/CML)	(4)	(5)		G	1/5 YR
7783-06-4	Hydrogen Sulfide	(5)	(5)		G	1/5 YR
60-10-5	Tributyltin [7]	NBSR 85-3295	(5)		G or C	1/5 YR

CASRN#	CHEMICAL	EPA ANALYSIS NO.	QUANTIFICATION LEVEL(1)	REPORTING RESULTS	SAMPLE TYPE(2)	SAMPLE FREQUENCY
471-34-1	Hardness (mg/L as $CaCO_3$)	(4)	(5)		G or C (10)	1/5 YR

_____

Name of Principal Exec. Officer or Authorized Agent/Title

_____

Signature of Principal Officer or Authorized Agent/Date

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations. See 18 U.S.C. Sec. 1001 and 33 U.S.C. Sec. 1319. (Penalties under these statutes may include fines up to $10,000 and or maximum imprisonment of between 6 months and 5 years.)

FOOTNOTES:

(1) Quantification level (QL) is defined as the lowest concentration used for the calibration of a measurement system when the calibration is in accordance with the procedures published for the required method.

The quantification levels indicated for the metals are actually Specific Target Values developed for this permit. The Specific Target Value is the approximate value that may initiate a wasteload allocation analysis. Target values are not wasteload allocations or effluent limitations. The Specific Target Values are subject to change based on additional information such as hardness data, receiving stream flow, and design flows.

Units for the quantification level are micrograms/liter unless otherwise specified.

Quality control and quality assurance information shall be submitted to document that the required quantification level has been attained.

Quantification Levels (ug/L)

CAS	Parameter	Outfall 002	Outfall 995	Refrigeration Water
7440-36-0	Antimony, dissolved	6400	3200	1.4
7440-38-2	Arsenic, dissolved	2200	55	1.0
7440-43-9	Cadmium, dissolved	530	32	0.3
16065-83-1	Chromium III, dissolved	3.6	3.6	3.6
18540-29-9	Chromium VI, dissolved	3000	880	1.6
7440-50-8	Copper, dissolved	360	7.4	0.50
7439-92-1	Lead, dissolved	560	190	0.50
7439-97-6	Mercury, dissolved	56	1.4	1.0
7440-02-0	Nickel, dissolved	490	59	0.94
7782-49-2	Selenium, dissolved	4300	230	2.0
7440-22-4	Silver, dissolved	76	1.5	0.20
7440-66-6	Zinc, dissolved	3600	72	3.6

(2) Sample Type

G = Grab = An individual sample collected in less than 15 minutes. Substances specified with "grab" sample type shall only be collected as grabs. The permittee may analyze multiple grabs and report the average results provided that the individual grab results are also reported. For grab metals samples, the individual samples shall be filtered and preserved immediately upon collection.

C = Composite = A 24-hour **(PW - Revise as required to require same composite duration as BOD_5)** composite unless otherwise specified. The composite shall be a combination of individual samples, taken proportional to flow, obtained at hourly or smaller time intervals. The individual samples may be of equal volume for flows that do not vary by +/- 10 percent over a 24-hour period.

(3) A specific analytical method is not specified; however a target value for each metal has been established. An appropriate method to meet the target value shall be selected from the following list of EPA methods (or any approved method presented in 40 CFR Part 136). If the test result is less than the method QL, a "<[QL]" shall be reported where the actual analytical test QL is substituted for [QL].

Metal	**Analytical Method**
Antimony	1638; 1639
Arsenic	1632
Chromium(8)	1639
Cadmium	1637; 1638; 1639; 1640
Chromium VI	1639
Copper	1638; 1640
Lead	1637; 1638; 1640
Mercury	1631
Nickel	1638; 1639; 1640
Selenium	1638; 1639
Silver	1638
Zinc	1638; 1639

(4) Any approved method presented in 40 CFR Part 136.

(5) The QL is at the discretion of the permittee. For any substances addressed in 40 CFR Part 136, the permittee shall use one of the approved methods in 40 CFR Part 136.

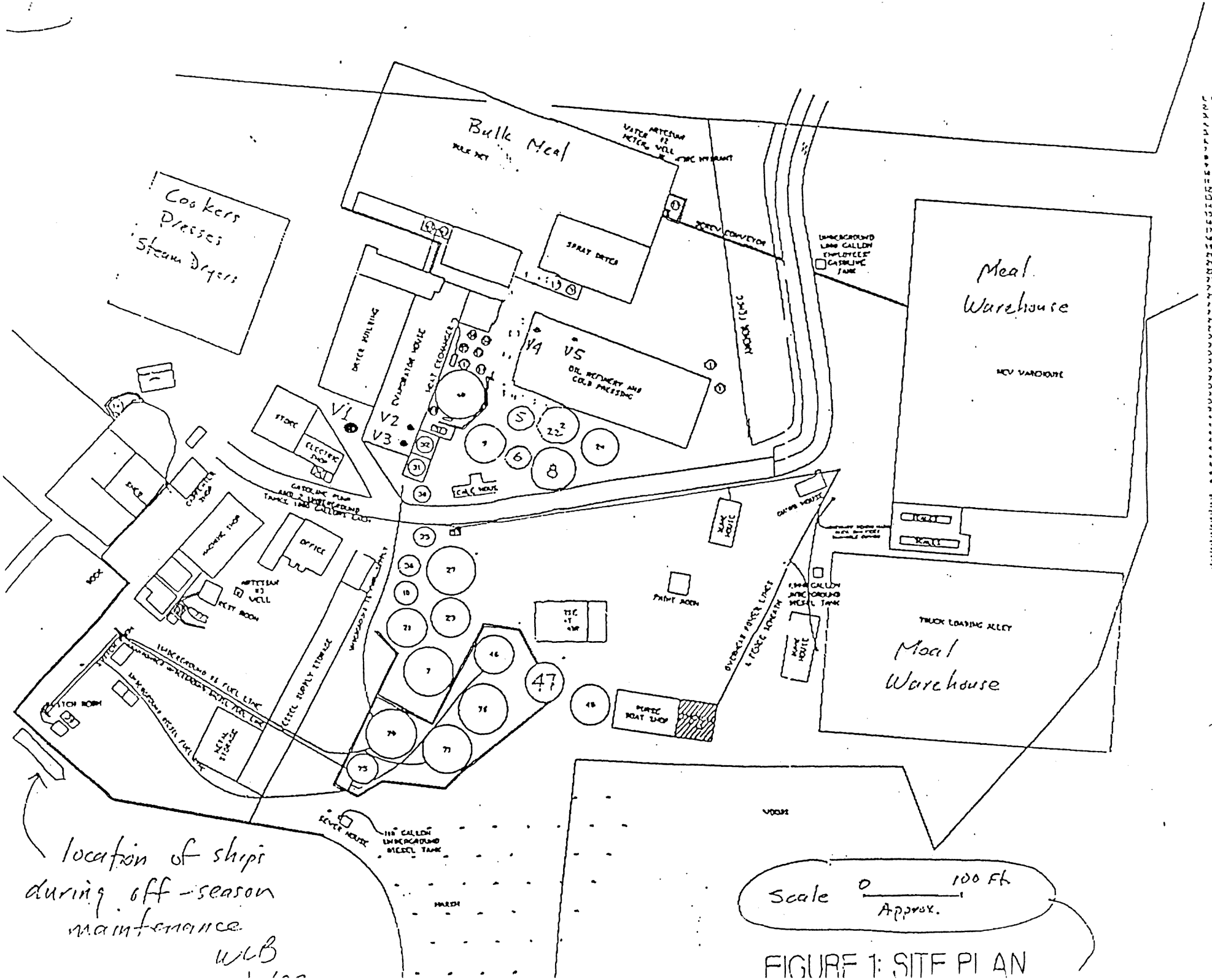
(6) Testing for phenols requires continuous extraction.

(7) Analytical Methods: NBSR 85-3295 or DEQ's approved analysis for Tributyltin may also be used [See A Manual for the Analysis of Butyltins in Environmental Systems by the Virginia Institute of Marine Science, dated November 1996].

(8) Both Chromium III and Chromium VI may be measured by the total chromium analysis. If the result of the total chromium analysis is less than or equal to the lesser of the Chromium III or Chromium VI method QL, the results for both Chromium III and Chromium VI can be reported as "<[QL]", where the actual analytical test QL is substituted for [QL].

(9) The lab may use SW846 Method 8270D provided the lab has an Initial Demonstration of Capability, has passed a PT for Kepone, and meets the acceptance criteria for Kepone as given in Method 8270D

(10) The sample type for Hardness (as $CaCO_3$) shall match the sample type selected for Dissolved Metals.


Bulk Meal
Cookers
Presses
Steam Dryers
Meal
Warehouse
MEAL WAREHOUSE
Meal
Warehouse
TRUCK LOADING ALLEY
SPRAY DRYER
DRYER BUILDING
EVAPORATOR HOUSE
OIL REFINERY AND COLD PRESSING
V1
V2
V3
V4
V5
SCALE HOUSE
OFFICE
PAINT ROOM
PLASTIC BOAT SHOP
SCALE HOUSE
SCALE HOUSE
Scale 0 100 Ft
Approx.
location of ships
during off-season
maintenance.
WLB
FIGURE 1: SITE PLAN
Attachment B1 -

ATTACHMENT C
DEPARTMENT OF ENVIRONMENTAL QUALITY
BMP Compliance Report

Facility Name: Omega Protein
Address: Reedville, VA.

VPDES Permit No.: VA0003867

Report Period: From __/__/__ To __/__/

Paint Area	COMPLIANCE / NONCOMPLIANCE * (check as appropriate)	
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

*Comments on Noncompliance

_____
Name of Principal Exec. Officer or Authorized Agent / Title

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. See 18 U.S.C. paragraph 1001 and 33 U.S.C. paragraph 1319. (Penalties under these statutes may include fines up to $10,000 and or maximum imprisonment of between 6 months and 5 years).

_____
Signature of Principal Exec. Officer or Authorized Agent / Date

CONDITIONS APPLICABLE TO ALL VPDES PERMITS

A. Monitoring

1. Samples and measurements taken as required by this permit shall be representative of the monitored activity.

2. Monitoring shall be conducted according to procedures approved under Title 40 Code of Federal Regulations Part 136 or alternative methods approved by the U.S. Environmental Protection Agency, unless other procedures have been specified in this permit.

3. The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals that will insure accuracy of measurements.

B. Records

1. Records of monitoring information shall include:
   a. The date, exact place, and time of sampling or measurements;
   b. The individual(s) who performed the sampling or measurements;
   c. The date(s) and time(s) analyses were performed;
   d. The individual(s) who performed the analyses;
   e. The analytical techniques or methods used; and
   f. The results of such analyses.

2. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years, the permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report or application. This period of retention shall be extended automatically during the course of any unresolved litigation regarding the regulated activity or regarding control standards applicable to the permittee, or as requested by the Board.

C. Reporting Monitoring Results

1. The permittee shall submit the results of the monitoring required by this permit not later than the 10th day of the month after monitoring takes place, unless another reporting schedule is specified elsewhere in this permit. Monitoring results shall be submitted to:

DEQ - Piedmont Regional Office
4949-A Cox Road
Glen Allen, VA 23060

2. Monitoring results shall be reported on a Discharge Monitoring Report (DMR) or on forms provided, approved, or specified by the Department.

3. If the permittee monitors any pollutant specifically addressed by this permit more frequently than required by this permit using test procedures approved under Title 40 of the Code of Federal Regulations Part 136 or using other test procedures approved by the U.S. Environmental Protection Agency or using procedures specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR or reporting form specified by the Department.

4. Calculations for all limits which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

D. Duty to Provide Information

The permittee shall furnish to the Department, within a reasonable time, any information which the Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The Board may require the permittee to furnish, upon request, such plans, specifications, and other pertinent information as may be necessary to determine the effect of the wastes from his discharge on the quality of state waters, or such other information as may be necessary to accomplish the purposes of the State Water Control Law. The permittee shall also furnish to the Department upon request, copies of records required to be kept by this permit.

E. Compliance Schedule Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.

F. Unauthorized Discharges

Except in compliance with this permit, or another permit issued by the Board, it shall be unlawful for any person to:

1. Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances; or

2. Otherwise alter the physical, chemical or biological properties of such state waters and make them detrimental to the public health, or to animal or aquatic life, or to the use of such waters for domestic or industrial consumption, or for recreation, or for other uses.

G. Reports of Unauthorized Discharges.

Any permittee who discharges or causes or allows a discharge of sewage, industrial waste, other wastes or any noxious or deleterious substance into or upon state waters in violation of Part II F 1; or who discharges or causes or allows a discharge that may reasonably be expected to enter state waters in violation of Part II F 1, shall notify the Department of the discharge immediately upon discovery of the discharge, but in no case later than 24 hours after said discovery. A written report of the unauthorized discharge shall be submitted to the Department, within five days of discovery of the discharge. The written report shall contain:

1. A description of the nature and location of the discharge;

2. The cause of the discharge;

3. The date on which the discharge occurred;

4. The length of time that the discharge continued;

5. The volume of the discharge;

6. If the discharge is continuing, how long it is expected to continue;

7. If the discharge is continuing, what the expected total volume of the discharge will be; and

8. Any steps planned or taken to reduce, eliminate and prevent a recurrence of the present discharge or any future discharges not authorized by this permit. Discharges reportable to the Department under the immediate reporting requirements of other regulations are exempted from this requirement.

H. Reports of Unusual or Extraordinary Discharges

If any unusual or extraordinary discharge including a bypass or upset should occur from a

treatment works and the discharge enters or could be expected to enter state waters, the permittee shall promptly notify, in no case later than 24 hours, the Department by telephone after the discovery of the discharge. This notification shall provide all available details of the incident, including any adverse affects on aquatic life and the known number of fish killed. The permittee shall reduce the report to writing and shall submit it to the Department within five days of discovery of the discharge in accordance with Part II I 2. Unusual and extraordinary discharges include but are not limited to any discharge resulting from:

1. Unusual spillage of materials resulting directly or indirectly from processing operations;

2. Breakdown of processing or accessory equipment;

3. Failure or taking out of service some or all of the treatment works; and

4. Flooding or other acts of nature.

I. Reports of Noncompliance

The permittee shall report any noncompliance which may adversely affect state waters or may endanger public health.

1. An oral report shall be provided within 24 hours from the time the permittee becomes aware of the circumstances. The following shall be included as information which shall be reported within 24 hours under this paragraph:
    a. Any unanticipated bypass; and
    b. Any upset which causes a discharge to surface waters.

2. A written report shall be submitted within 5 days and shall contain:
    a. A description of the noncompliance and its cause;
    b. The period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
    c. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

    The Board may waive the written report on a case-by-case basis for reports of noncompliance under Part II I. if the oral report has been received within 24 hours and no adverse impact on state waters has been reported.

3. The permittee shall report all instances of noncompliance not reported under Parts II I.1 or 2, in writing, at the time the next monitoring reports are submitted. The reports shall contain the information listed in Part II I.2.

NOTE: The immediate (within 24 hours) reports required in Parts II G, H and I may be made to the Department's Regional Office at (804) 527-5020 or fax (804) 527-5106. For reports outside normal working hours, leave a message and this shall fulfill the immediate reporting requirement. For emergencies, the Virginia Department of Emergency Services maintains a 24 hour telephone service at 1-800-468-8892.

J. Notice of Planned Changes

1. The permittee shall give notice to the Department as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
    a. The permittee plans alteration or addition to any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced:
        (1) After promulgation of standards of performance under Section 306 of Clean Water Act which are applicable to such source; or

(2) After proposal of standards of performance in accordance with Section 306 of Clean Water Act which are applicable to such source, but only if the standards are promulgated in accordance with Section 306 within 120 days of their proposal;

b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations nor to notification requirements specified elsewhere in this permit; or

c. The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.

2. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

K. Signatory Requirements

1. Applications. All permit applications shall be signed as follows:
   a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (i) A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulation; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

   b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

   c. For a municipality, state, federal, or other public agency: By either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a municipality, state, federal, or other public agency includes: (i) The chief executive officer of the agency, or (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

2. Reports, etc. All reports required by permits, and other information requested by the Board shall be signed by a person described in Part II K 1, or by a duly authorized representative of that person. A person is a duly authorized representative only if:
   a. The authorization is made in writing by a person described in Part II K 1;

   b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of

equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and

c. The written authorization is submitted to the Department.

3. Changes to authorization. If an authorization under Part II K 2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part II K 2 shall be submitted to the Department prior to or together with any reports, or information to be signed by an authorized representative.

4. Certification. Any person signing a document under Parts II K 1 or 2 shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

L. Duty to Comply

The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the State Water Control Law and the Clean Water Act, except that noncompliance with certain provisions of this permit may constitute a violation of the State Water Control Law but not the Clean Water Act. Permit noncompliance is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants and with standards for sewage sludge use or disposal established under Section 405(d) of the Clean Water Act within the time provided in the regulations that establish these standards or prohibitions or standards for sewage sludge use or disposal, even if this permit has not yet been modified to incorporate the requirement.

M. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall apply for and obtain a new permit. All permittees with a currently effective permit shall submit a new application at least 180 days before the expiration date of the existing permit, unless permission for a later date has been granted by the Board. The Board shall not grant permission for applications to be submitted later than the expiration date of the existing permit.

N. Effect of a Permit

This permit does not convey any property rights in either real or personal property or any exclusive privileges, nor does it authorize any injury to private property or invasion of personal rights, or any infringement of federal, state or local law or regulations.

O. State Law

Nothing in this permit shall be construed to preclude the institution of any legal action under, or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any other state law or regulation or under authority preserved by Section 510 of the Clean Water Act.

Except as provided in permit conditions on "bypassing" (Part II U), and "upset" (Part II V) nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance.

P. Oil and Hazardous Substance Liability
Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Sections 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

Q. Proper Operation and Maintenance
The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes effective plant performance, adequate funding, adequate licensed operator staffing, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by the permittee only when the operation is necessary to achieve compliance with the conditions of this permit.

R. Disposal of Solids or Sludges
Solids, sludges or other pollutants removed in the course of treatment or management of pollutants shall be disposed of in a manner so as to prevent any pollutant from such materials from entering state waters.

S. Duty to Mitigate
The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

T. Need to Halt or Reduce Activity Not a Defense
It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

U. Bypass

1. "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility. The permittee may allow any bypass to occur which does not cause effluent limits to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts II U 2 and U 3.

2. Notice
    a. Anticipated bypass. If the permittee knows in advance of the need for a bypass, prior notice shall be submitted, if possible at least ten days before the date of the bypass.
    b. Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Part II I.

3. Prohibition of bypass.
    a. Bypass is prohibited, and the Board may take enforcement action against a permittee for bypass, unless:
        (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
        (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This

condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(3) The permittee submitted notices as required under Part II U 2.

b. The Board may approve an anticipated bypass, after considering its adverse effects, if the Board determines that it will meet the three conditions listed above in Part II U 3 a.

V. Upset

1. An upset constitutes an affirmative defense to an action brought for noncompliance with technology based permit effluent limits if the requirements of Part II V 2 are met. A determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is not a final administrative action subject to judicial review.

2. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
   a. An upset occurred and that the permittee can identify the cause(s) of the upset;
   b. The permitted facility was at the time being properly operated; and
   c. The permittee submitted notice of the upset as required in Part II I 2.
   d. The permittee complied with any remedial measures required under Part II S.

3. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

W. Inspection and Entry

The permittee shall allow the Director, or an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act and the State Water Control Law, any substances or parameters at any location.

For purposes of this section, the time for inspection shall be deemed reasonable during regular business hours, and whenever the facility is discharging. Nothing contained herein shall make an inspection time unreasonable during an emergency.

X. Permit Actions

Permits may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Y. Transfer of Permits

1. Permits are not transferable to any person except after notice to the Department. Except

as provided in Part II Y 2, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued, or a minor modification made, to identify the new permittee and incorporate such other requirements as may be necessary under the State Water Control Law and the Clean Water Act.

2. As an alternative to transfers under Part II Y 1, this permit may be automatically transferred to a new permittee if:
    a. The current permittee notifies the Department at least 30 days in advance of the proposed transfer of the title to the facility or property;
    b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
    c. The Board does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in Part II Y 2 b.

Z. Severability

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.